Constitution *and* Canons

The Missionary Diocese of CANA East

The Convocation of Anglicans in North America

The Church of Nigeria (Anglican Communion) and The Anglican Church in North America

Constitution

Preamble

In the Name of God, the Father, the Son, and the Holy Spirit, Amen. The Missionary Diocese of the Convocation of Anglicans in North America (CANA) East (the Diocese) is composed of Anglicans united by a common faith in the Lord Jesus Christ and a commitment to the trustworthiness of the Holy Scriptures. As Anglicans, we believe and confess Jesus Christ to be the Way, the Truth, and the Life, and that no one comes to the Father but by Him.

Article I

Fundamental Declarations of the Diocese

The Diocese hereby adopts, receives, and affirms the Global Anglican Future Conference (GAFCON) Statement and the Jerusalem Declaration issued June 29, 2008; we acknowledge the authority and powers of the Protocol signed between the Church of Nigeria (Anglican Communion) (CoN) and the Anglican Church in North America (the Province) issued on July 24, 2010; and we acknowledge the Fundamental Declarations of the Province as set forth in Article I of the Provincial Constitution.

Article II

Order, Governance, and Discipline

The Diocese is a diocese of the Convocation of Anglicans in North America (CANA), and the Province, and is composed of Congregations, Missions, and clergy, united by a Bishop. The order, governance, and discipline of the Diocese shall be vested in the Bishop as the Ecclesiastical Authority, the Standing Committee, the Synod, and the Ecclesiastical Court of the Diocese in conformity with this Constitution.

Article III

Authority, Composition, and Operation of the Synod

Section 1. Authority

The Synod, as the legislative body of the Diocese, shall have authority to adopt Canons, approve resolutions and budgets, and take any other specific action for the conduct of the affairs of the Diocese.

Section 2. Composition

A. The Synod shall be composed of the Clerical Order and the Lay Order.

B. The Clerical Order shall be composed of Clergy Delegates comprising the Bishop or Bishops and all of the Presbyters and Deacons under the authority and license of the Bishop.

C. The Lay Order shall be composed of the Lay Delegates elected by the Congregations and Missions as defined by Canon.

D. Each member of the Clerical Order and Lay Order shall have voice and vote.

Section 3. Meetings

There shall be an Annual Meeting of the Synod. As provided by Canon, the Synod may also hold Special Meetings. The Lay Delegates shall serve only for the Annual Meeting of the Synod for which they are elected and for any Special Meetings held prior to the next Annual Meeting, unless other delegates are chosen specifically for any Special Meeting.

Section 4. Quorum for the Transaction of Synod Business

In order to constitute a quorum for the transaction of business at any Synod meeting, delegates representing one half of the Congregations and Missions must be present.

Section 5. Presiding Officer of the Synod

The Bishop shall preside at all meetings of the Synod unless he assigns the role of Presiding Officer to a member of the Synod. In the Bishop's absence, the Standing Committee shall assign the role of Presiding Officer to a member of the Synod.

Section 6. Voting

The Synod shall deliberate and vote as one body and, a majority of those voting shall be necessary for a decision. A vote by Orders shall be held as called for by this Constitution and for such other purposes as may be authorized by Canon.

Article IV

Office of the Bishop

Section 1. Nomination and Election

Upon the need for a Bishop (including without limitation a Bishop Coadjutor or a Bishop Suffragan), the Standing Committee shall appoint a Committee on Nominations for Bishop made up of Clergy and Laity. A special Synod shall be called for the purpose of nominating a suitable candidate to the Missionary Bishop of the Convocation of Anglicans in North America who will then forward a single name to the Anglican Church in North America's College of Bishops who, after hearing testimony of faith and call to the office, will be given opportunity to declare their consent to the nomination. The Missionary Bishop of the Convocation of Anglicans in North America will then forward the name of the candidate to the Primate of all Nigeria for submission to the Nigerian House of Bishops for election.

Section 2. Vacancy, Disability or Impermissible Absence of the Bishop

If the position of Bishop becomes vacant, or if the Standing Committee should determine upon careful deliberation that the Bishop is under a disability, or is otherwise not performing his duties as Bishop, the Standing Committee will advise in writing the Missionary Bishop of the Convocation of Anglicans in North America who may provide for episcopal oversight of the Diocese.

Article V

The Standing Committee

There shall be a Standing Committee of the Diocese that shall perform those duties required by the Constitution and Canons of the Province and of the Diocese. The Standing Committee shall comprise of the Bishop and an equal number of clergy and laity elected by the Synod or appointed by the Bishop as provided by Canon.

Article VI

The Officers of the Diocese

In addition to the Bishop, or Bishops, the Officers of the Diocese shall be the Secretary, the Treasurer, the Chancellor, and the Registrar, and such other Officers as may by Canon be established. The selection and duties of the Officers of the Diocese shall be prescribed by Canon.

Article VII

Ecclesiastical Court

Section 1. Ecclesiastical Court Established

There shall be an Ecclesiastical Court of the Diocese for the application of Church discipline in accordance with the Constitution and Canons and to resolve such other disputes and controversies which may by Canon or request of the Bishop be submitted to it.

Section 2. Jurisdiction, Composition, Terms of Office, and Procedures

The jurisdiction, composition, terms of office, and procedures of the Ecclesiastical Court shall be established by Canon.

Article VIII

Concerning Property

Section 1. Of the Diocese

All property, both real and personal, owned by the Diocese now and in the future is and shall be owned by the Diocese, and shall not be subject to any trust interest in favor of the Convocation of Anglicans in North America, the Province, the Church of Nigeria (Anglican Communion), or any other Province of the Anglican Communion, or any other claim of ownership arising out of constitutional or canonical law.

Section 2. Of Congregations and Missions

All property, both real and personal, owned or held by or on behalf of a Congregation or Mission of the Diocese is and shall be owned by the Congregation or Mission, free of any trust interest or other claim in favor of the Diocese, the Convocation of Anglicans in North America, the Province, the Church of Nigeria (Anglican Communion), or any other Province of the Anglican Communion, or any other claim of ownership arising out of constitutional or canonical law.

Article IX

Incorporation

The Diocese may incorporate in accordance with the laws of the State where located or the State where any of its Congregations or Missions are located. The Bishop shall be the President of the corporation and the Standing Committee its Board of Directors. Operation of the corporation shall be as provided by Canon and applicable State law.

Article X

Affiliation and Membership

The Diocese shall be affiliated with the Province and a member of the Convocation of Anglicans in North America. Congregations of the Diocese shall be those Congregations that are members of the Diocese as defined by Canon. Missions of the Diocese shall be those Congregations that are affiliated with the Diocese as defined by Canon. The Congregations and Missions whose representatives participate in the Synod that adopts this Constitution shall be the founding members of the Diocese. Memberships and affiliations between the Diocese and other ecclesiastical organizations shall be voluntary and based on the mutual willingness of both to establish and maintain such membership or affiliation. All memberships and affiliations shall be formed, maintained, or terminated under such terms as may be set forth by Canon.

Article XI

Adoption and Amendment

Section 1 Adoption

This constitution shall be adopted and become effective upon its approval by a majority vote of the delegates at the inaugural Meeting of the Synod of the Diocese held in May of 2013. Each congregation or mission which by majority vote of its delegation adopts this Constitution at the May 2013 Synod, shall be the initial member congregations and affiliated missions of the Diocese.

Section 2 Amendment

No amendment to this Constitution may be adopted until it has been reviewed by the Bishop and by a committee established according to Canon for the review of proposed amendments to the Constitution, and their recommendations given to the Synod. This Constitution may be amended by a majority vote by Orders at any Annual Meeting of the Synod or any Special Meeting called for purpose of amending the Constitution. If approved, the amendment shall lie over to the next Annual or Special Meeting of the Synod. If again approved in the same form by majority vote by Orders of the Synod, the Constitution shall then stand amended.

Canons

Title I

Organization and Administration of the Diocese

Canon 1

Order, Governance, and Discipline of the Diocese

The order and governance of, and discipline within, the Diocese shall be vested in the Bishop, the Standing Committee, the Synod, and the Ecclesiastical Court. The distribution of the authority for the order and governance of, and discipline within, the Diocese shall be as follows:

1. The fundamental agencies of mission in the Diocese are the Congregations and the Missions.
2. The Ecclesiastical Authority of the Diocese shall be vested in the Bishop and, in the absence of the Bishop, in the Missionary Bishop of CANA and Standing Committee of this Diocese.
3. Ordained ministry in the Diocese shall be exercised only by Bishops, presbyters, and deacons duly ordained by or under the authority of the Bishop of the Diocese.
4. The legislative and non-ecclesiastical executive authority of the Diocese shall be vested in the Synod, and in the time between meetings of the Synod, by the Standing Committee.
5. The judicial authority of the Diocese shall be vested in the Ecclesiastical Court.
6. Each member Congregation and Mission may establish and maintain its own governance not inconsistent with the provisions of the Diocesan Constitution and Canons.
7. The Diocese may own its own property and any such property shall be free of any claim of trust or ownership by the any other ecclesiastical entity.

Canon 2

Of the Synod

Section 1. Powers and Duties

The Synod, as the legislative body of the Diocese, has the power to adopt and amend the Diocesan Constitution and Canons; approve budgets; establish and oversee the program of the Diocese; confirm Standing Committee admissions of Congregations and Missions into the Diocese; and

elect members of the Diocesan Standing Committee, and Diocesan representatives to the councils of the church beyond the Diocese and other elected positions as authorized by Canon.

Section 2. Membership

The Synod shall be composed of the Lay Delegates chosen in accordance with these Canons, the clergy of the Diocese, and the officers of the diocese as prescribed by canon.

Section 3. Membership Lists and Mode of Election of Delegates

A. Clergy Delegates

i. An official list of all duly ordained presbyters and deacons under the authority of the Bishop shall be maintained by the Ecclesiastical Authority, kept current by the Registrar, and on file in the central office of the Diocese. The list shall contain the addresses and positions of the clergy and shall be published at least 30 days in advance of any meeting of the Synod. Any member of the clergy whose name is not on the list who wishes to vote at the Synod shall bring the omission to the attention of the Registrar.

ii. The official list shall be available to the Synod on the first day of its meeting.

iii. Every member of the clergy under the authority of the Bishop shall attend every meeting of the Synod unless excused by the Ecclesiastical Authority.

B. Elected Lay Delegates

i. Each Congregation of the Diocese and each Mission of the Diocese shall be entitled to two Lay Delegates. In addition, each Congregation having in excess of 200 Eligible Voters shall be entitled to one additional Lay Delegate for each 200 or fraction thereof above the first 200. The number of Eligible Voters shall be based upon the current Annual Report prepared and filed with the Diocese.

ii. Each Congregation and Mission of the Diocese shall select its delegates according to its respective governing rules with no more than one alternate for each delegate so chosen, and shall report its selection no later than 60 days before the ensuing meeting of the Synod, on a form prepared by the Registrar of the Diocese. Each delegate and alternate shall be an Eligible Voter in the Congregation or Mission represented.

iii. A list of all duly elected Lay Delegates to the Synod of Congregations and Missions of the Diocese shall be compiled, maintained, and kept current by the Registrar.

Section 4. Meetings of the Synod

A. The Synod of the Diocese shall meet every year and may also have Special Meetings called for a specific purpose.

B. A quorum of the Synod of the Diocese shall consist of a majority of the clergy of the diocese and a majority of the congregations and missions of the diocese.

C. The Bishop with the advice of the Standing Committee shall determine the date, time, and place of all meetings of the Synod. The Secretary of the Diocese shall give notice of Annual Meetings at least 90 days in advance, except for good cause as determined by the Bishop and the Standing Committee, and no less than 15 days prior to any Special Meeting.

D. The agenda for any Synod meeting shall be distributed to Synod delegates no fewer than 15 days prior to the meeting.

Section 5. Committees of the Synod

There may be a Synod Committee on Resolutions, Nominations, and such other committees, as the Bishop may deem necessary. The Bishop shall appoint all Synod committee members and committee members shall be current members of the Synod. Each committee shall keep its own records, and all committee recommendations required by the Diocesan Constitution and Canons shall be in writing.

Section 6. The Synod Credentials Committee

A Synod Credentials Committee, appointed by the Presiding Officer of the Synod, shall consist of two Clergy and two Lay Delegates who shall determine the presence of a quorum in accordance with these Canons and hear and resolve any disputes over proper representation in the Synod, subject to appeal to the Bishop by any excluded Clergy, Lay Delegate, Congregation or Mission.

Section 7. Rules of Order

The Bishop with the advice of the Chancellor shall propose Rules of Order for adoption by the Synod at the outset of each Synod meeting.

Section 8. Parliamentarian

The Bishop may appoint a Parliamentarian to advise the Bishop and the Synod on parliamentary issues. The ruling of the Bishop or the Presiding Officer on any parliamentary matter may be overridden by a vote of two thirds of those present and voting at the Synod.

Section 9. Diocesan Delegates to the Councils of the Church beyond the Diocese

The Synod of the Diocese shall elect the delegates and alternates to all Councils of the Church beyond the Diocese. The Standing Committee may fill vacancies in the event that an insufficient number of elected delegates or alternates are able to serve.

Section 10. Subdivision of the Diocese into Regions or Districts

When it shall appear to the Bishop that it would advance the administration of the Diocese, the Bishop, with the advice and consent of the Standing Committee, may organize the Diocese into archdeaconries or regions.

Canon 3

Of the Diocesan Standing Committee

Section 1. Standing Committee Established

A. Eligibility. Lay Members of the Standing Committee shall be Eligible Voters in a Congregation or Mission of the Diocese. Clergy members of the Standing Committee shall be under the authority of the Bishop.

B. Composition. The Standing Committee of the Diocese shall be composed of the following members:

i. Three clergy and three laity elected by the Synod for staggered three-year terms.

ii. One additional clergy and one additional lay member appointed by the Bishop to serve for a term of one year; and

iii. Lay members of the Standing Committee shall be members of the Synod *ex officio*.

C. Voice, Vote, and Quorum. The Bishop and each member of the Standing Committee elected or appointed shall have voice and vote. Fifty percent of the voting members of the Standing Committee shall constitute a quorum for the transaction of business.

Section 2. Powers and Duties

Except as otherwise provided in the Constitution and Canons of the Diocese, the Standing Committee of the Diocese shall have the following powers and duties:

A. Serve as a council of advice to the Bishop;

B. Together with the Bishop and subject to confirmation by the Synod, act to accept or deny an application for admission of a Congregation or Mission into the Diocese;

C. Serve as nominating committee for all offices filled by the Synod;

D. The authority of the Synod in between meetings of the Synod, except for the authority to amend the Constitution and the Canons of the diocese.

E. Perform such other duties and responsibilities, as may be assigned by the Bishop.

Canon 4

Officers of the Diocese

Section 1. The Bishop

The Bishop shall serve as the Ecclesiastical Authority of the Diocese and the Presiding Officer of the Standing Committee and the Synod.

Section 2. The Chancellor

The Chancellor of the Diocese, appointed by the Bishop, shall be a member of CANA. He or she shall be learned in the law and licensed to practice law in one of the jurisdictions encompassed by the Diocese. The Chancellor shall have responsibility for the legal affairs of the Diocese and shall serve as counsel to the Bishop and the Standing Committee. The Bishop may appoint assistant chancellors as necessary.

Section 3. The Secretary

The Secretary of the Diocese, appointed by the Bishop, shall be a member of CANA. He or she shall keep the minutes of the Synod, and shall submit such reports as the Bishop may request. The Bishop may appoint assistant secretaries as necessary.

Section 4. The Treasurer

The Treasurer of the Diocese, elected by the Standing Committee, shall be a member of CANA. He or she shall be the custodian for all of the funds of the Diocese and shall be learned in financial and accounting matters. The Treasurer shall be bonded in such amount as the Standing Committee from time to time shall deem appropriate; shall prepare the annual diocesan budget; and shall file an annual report to the Synod on the financial status of the Diocese, including reports of account for all funds under his or her custody or control, profit and loss statements, and balance sheets. The Treasurer shall also be responsible for the preparation of such periodic financial reports as may be required by the Standing Committee.

Section 5. The Registrar

The Registrar, appointed by the Bishop, shall be a member of CANA. He or she shall be the custodian of official records of the Diocese and shall issue such certification as may be directed by the Bishop or the Standing Committee.

Section 6. Terms of Office and Synod Representation

The Chancellor, the Secretary, and the Registrar shall serve at the pleasure of the Bishop, and be members of the Synod with voice and vote. The Treasurer shall serve at the pleasure of the Standing Committee, and be a member of the Synod with voice and vote.

Canon 5

Committees of the Diocese

Section 1. Finance Committee

A. Establishment. There shall be a Finance Committee of the Diocese, appointed by the Bishop with the advice and consent of the Standing Committee, with at least one representative from the Standing Committee. The Treasurer shall also serve as an *ex officio* member with voice and vote.

B. Duties. The Finance Committee shall oversee the Treasurer; assist in preparing the annual Budget of the Diocese; and shall issue guidelines for audits and investment management, and Congregations' and Missions' annual financial reviews. The Finance Committee shall oversee the insurance and benefits programs for the Diocese, its clergy, and lay personnel.

C. Reporting and Audits. The Finance Committee shall cause the records and accounts of the Treasurer to be audited by independent auditors on an annual basis. The Finance Committee shall issue periodic reports to the Bishop and the Standing Committee on the financial condition of the Diocese.

Section 2. Committee on Constitution and Canons

A. Establishment. There shall be a Committee on Constitution and Canons, which shall consist of three members plus the Chancellor as an *ex officio* member. Members shall be appointed by the Bishop after consultation with the Chancellor.

B. Duties. All proposed amendments to the Diocesan Constitution or Canons shall be submitted to the Standing Committee no fewer than 15 days prior to the next Synod meeting.

Title II

Organization and Administration of Congregations and Missions

Canon 1

Congregations and Missions

Section 1. Congregations Defined

A. Any group may seek to affiliate with the Diocese as a Congregation as provided in this Canon. A Congregation is a community of worshippers that meets the following criteria:

i. Has a Vestry under the authority of the Bishop;

ii. Conducts weekly worship in a public space in accordance with the doctrine and forms of worship recognized as Anglican in form and substance of the Anglican Communion as permitted by the Bishop;

iii. Has enabled ministries for prayer, evangelism, discipleship, service, fellowship, and Bible study;

iv. Is financially self-supporting and has the ability to fund its own operations, and to contribute to the support of the diocese; and

v. Is organized in accordance these Canons.

B. Any group not meeting the above requirements that wishes to be recognized as a Congregation may apply to the Standing Committee for a waiver of one or more of these requirements.

C. Any group not meeting the requirements for Congregations may apply to be recognized as a Mission.

Section 2. Missions Defined

A group of worshiping Christians which is not yet fully in conformity with the Anglican order of worship or governance and yet which seeks affiliation with the Diocese, may with the consent of the Bishop apply to become a Mission.

The Bishop may permit whatever degree of autonomy and deviation from the usual Anglican order of worship or governance which he deems appropriate for the particular group, and upon acceptance of such Mission by the Synod, such group shall be a Mission in the same manner as any other Congregation of the Diocese.

Section 3. Application Procedure

A. Any group of the faithful seeking to affiliate as a Congregation or Mission shall submit its application to the Registrar on forms and in accordance with standards prescribed by the Standing Committee. The Standing Committee, with the approval of the Bishop, may issue provisional membership in the Diocese subject to confirmation by majority vote of the next Synod. Upon confirmation by the Synod, the Bishop shall receive the Congregation or Mission into the Diocese.

B. A Congregation or Mission attached to another diocese or the Province, desiring to become a member of or afflicted with this Diocese, shall make application to the Bishop and, with the consent of the bishop of the jurisdiction to which that Congregation or Mission is currently attached, may be received into this Diocese.

Section 4. Governance of Congregations

A. Governing Body of Congregation Defined and How Elected

The Rector and Vestry shall be the governing body of the Congregation.

B. Governing Documents and Structure

i. Each Congregation shall adopt governing documents in conformity the Constitution and Canons of the Diocese and shall operate in accordance with the same. Each Congregation shall furnish to the Chancellor a copy of its governing documents, and such governing documents of each Congregation shall be kept by the Registrar.

ii. Duties. The Vestry shall at a minimum have the following duties:

a. Provide for the financial support of the Rector and exercise fiduciary oversight of the Congregation's finances;

b. Pray regularly for the Rector and the Congregation;

c. Support the Rector in all aspects of his ministry, including ensuring the Christian formation, biblical literacy, and spiritual maturity of the members of the Congregation;

d. Provide an adequate place for regular worship;

e. Provide for the compensation of paid staff members;

f. Establish an adequate insurance program for the Congregation that includes, at a minimum, property damage, liability, personal injury, and errors and omissions;

g. Support biblically-based financial giving by members of the Congregation;

h. Ensure that the Congregation shares in the financial support of the Diocese; and

i. Strive for unity and adopt principles for resolving conflict.

iii. Vestry Oath. Every person elected a Vestry member shall take the following oath of office:

> *"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary for salvation through Our Lord Jesus Christ and I do yield my hearty consent to the Constitution and Canons of the Diocese. I promise, with God's help, that I will faithfully execute the duties of the office of Vestry member of this Congregation to the best of my ability."*

iv. Vestry Elections. Every Congregation shall have an annual meeting in keeping with its governing documents at which meeting new Vestry members shall be elected.

C. Finance Committee. The Vestry of each Congregation shall provide for a Finance Committee, which shall prepare a budget for adoption by the Vestry. The Finance Committee shall make regular financial reports to the Vestry. No Congregation may operate on a deficit budget without adequate reserves to cover such deficit.

D. Treasurer. Each Congregation shall have a Treasurer, elected by the Vestry, who shall be a member of the Finance Committee *ex officio*, and be bonded in such sum and with such surety as the Vestry from time to time shall determine. The Treasurer shall be the custodian of the funds of the Congregation and shall perform such other duties as required by the Vestry.

E. Officers of the Congregation. In addition to the Rector, the Wardens, and the Treasurer, a Congregation may have such other officers as allowed by its governing documents.

F. Investments. All investments of congregational funds shall be under the oversight of the Vestry and shall be made with due regard to applicable State law for fiduciaries. The Vestry may consult with the Diocese for guidance with regard to investments. Investment funds shall be deposited in banks or other financial institutions where such deposits are adequately insured, or in such other conservative investments appropriate for the management of monies by a fiduciary.

G. Audits and Reviews. The Vestry shall cause the accounts of its Treasurer and all other custodians of funds or securities to be reviewed and reported annually in accordance with the standards to be prescribed by the Finance Committee of the Diocese.

H. Members and Eligible Voters. The Rector and Wardens shall maintain a current list of the Members and Eligible Voters of the Congregation. Any person who believes he or she is entitled to be included on the list of Eligible Voters may appeal to the Vestry for its determination.

I. Sacramental Registers and Vestry Minutes. The Rector and Wardens shall maintain a register of official acts such as worship services, baptisms, confirmations, weddings, funerals, and visitations of bishops and other clergy, the register shall include the date and name of the service, the name of the officiant, the name of the preacher, the number of attendees of each such service and the number of communicants at each such service. Minutes of all meetings of the Vestry shall be kept in permanent form.

J. Annual Report. The Rector and Wardens shall submit to the Secretary of the Diocese an Annual Report on a form to be prescribed by the Standing Committee.

Canon 2

The Rector and the Pastoral Relationship

Section 1. The Pastoral Relationship Defined

A prayerful process of discernment, including due diligence, shall be undertaken in the calling of a Rector to a Congregation, and the Vestry shall gain the Bishop's consent before extending an offer to a candidate. The relationship between the Rector and the Congregation, with the support of the

Bishop, is one of mutual trust and dependence in carrying out the ministry of the Congregation. As the spiritual leader of the Congregation, the Rector requires the full cooperation and support of the Vestry. The Rector, in consultation with the Bishop and with the approval of the Vestry, shall select all assistant and associate clergy. All assistant and associate clergy shall serve at the pleasure of the Rector and the Vestry. The Rector, with the consent of the Vestry, shall select all lay employees, who shall serve at the pleasure of the Rector and the Vestry.

Section 2. Search Committee

The Vestry may serve as the Search Committee to consider appropriate candidates for election and call as Rector, having first consulted with and received a list of proposed candidates from the Bishop. The Vestry may alternatively establish a different search committee, but the Vestry shall have the sole authority in the Congregation to call a Rector. The names of the final candidates shall be submitted to the Bishop for his advice. No person may be elected and called as Rector without the approval of the Bishop. A Rector shall be elected by the affirmative votes of two-thirds of the Vestry. The call of the Rector shall be in writing in a letter of agreement between the Rector and the Vestry and signed by the Bishop. It must distinctly express job description and any special conditions, together with the stipulations of salary and other benefits offered to the Rector.

Section 3. Appointment of A Vicar by the Bishop

In the absence of a Rector in any Congregation or Mission, the Bishop may upon the request of the wardens of such Congregation or Mission appoint a Vicar to lead worship and to perform such other functions of Congregational or Mission leadership which is carried out by clergy.

Section 4. Licensing by the Bishop

The Rector and all other clergy shall not be recognized by the Bishop until they have been canonically transferred to this jurisdiction and licensed by the Bishop.

Section 5. The Selection of an Assistant Minister

If the vestry of a Congregation agrees that a vacancy occurs for Assistant Clergy, the Rector shall first consult with the Bishop. The names of the final candidates shall be submitted to the Bishop for his advice. No person may be elected and called as Assistant Clergy without the approval of the Bishop. The Rector and vestry must agree upon the final candidate before a call is offered. The call of Assistant Clergy shall be in writing in a Letter of agreement between Assistant Clergy and the Vestry and signed by the Bishop. It must distinctly express job description and any special conditions, together with the stipulations of salary and other benefits offered to the Assistant Clergy.

Section 6. Restrictions upon Rector's Resignation and Removal

A Rector may not resign as Rector without consulting the Vestry and the Bishop. A Rector may not be removed except as hereinafter provided. No Rector, Vicar, or Priest in Charge may be called or dismissed from a Congregation without the consent of the Bishop and then only as provided by these Canons.

Section 7. Resolving Conflicts in the Pastoral Relationship

A. Whenever matters of disagreement develop, it is incumbent on all parties to approach one another with patience, understanding of the views of all parties, and Christian charity to avoid having the relationship imperiled or hindered.

B. If after reasonable attempts at reconciliation, either the Rector or a majority of the Vestry believe the pastoral relationship to be imperiled or hindered by reason of dissention, either or both shall present the matter to the Bishop.

C. Upon such notification the Bishop shall promptly seek reconciliation by whatever means he believes appropriate that is not inconsistent with Holy Scripture. Both the Rector and the Vestry shall participate cooperatively in the process. The Bishop may issue such interim directives appropriate to the cause before issuing a final judgment. Prior to issuing a final judgment, the Bishop may consult with the Chancellor of the Diocese.

D. After consulting with the vestry the judgment of the Bishop may include a leave of absence for the Rector, a refusal to dissolve the pastoral relationship, or a judgment of dissolution.

E. If the relationship is to be dissolved, the judgment may include terms and conditions for compliance by both parties. If a dissolution of the pastoral relationship is necessary, the Bishop may dissolve the pastoral relationship but only upon receipt of a resolution adopted by the vestry by two thirds vote. The Bishop shall in all cases render pastoral support to the Rector. Upon issuing such judgment, the Bishop shall direct the Registrar of the Diocese to record the dissolution.

F. If at the time of a need for the Bishop's intervention in the relationship between a Rector and a Congregation there be no Bishop or the Bishop refuses to act within a reasonable time period, the Standing Committee or Vestry may appeal to the Missionary Bishop of the Convocation of Anglicans in North America for action.

G. If the Bishop and a member of the clergy involved in a controversy or dispute over the pastoral relationship both agree to submit the controversy or dispute to the Ecclesiastical Court, such controversy or dispute may be submitted to the Ecclesiastical Court for its adjudication. The Bishop may at any time remove any such controversy or dispute from the Court and proceed to administer the case in accordance with these Canons.

Canon 3

Congregation and Mission Property

Section 1. No Denominational or Diocesan Trust in Congregation and Mission Property

All real and personal property owned by or held for the benefit of a Congregation or Mission shall belong exclusively to that Congregation or Mission free of any trust or other claim by the Diocese, the Province, and all other ecclesiastical entities both in the United States and beyond.

Section 2. Ownership of Congregation and Mission Property

A Mission may own real and personal property both before and after it becomes a Congregation.

Title III

Worship and Administration of the Sacraments

Canon 1

Worship

Worship and the Administration of the Sacraments in this Diocese shall be in conformity with these Diocesan Canons.

Canon 2

Of Authorized Translations of the Bible

The lessons used in services of public worship and the order of a lectionary of each Congregation and Mission shall be read from translations of the Holy Scriptures as authorized by the Bishop of the Diocese.

Canon 3

Of Authorized Forms of Public Worship and Authorized Editions of the Book of Common Prayer

The Bishop shall ensure that the forms used in Public Worship and the Administration of the Sacraments be in accordance with Anglican Faith and Order and that nothing be established that is contrary to the Word of God as revealed in the Holy Scriptures.

Canon 4

Of Christian Marriage

Section 1. Christian Marriage in the Diocese

The Diocese affirms our Lord's teaching that Holy Matrimony is in its nature a covenantal union, permanent and lifelong, of one man and one woman. No marriage or other conjugal union of persons shall take place in any of the Congregations or Missions of the Diocese, or with the participation of the clergy of this Diocese except in accordance with these Canons.

Section 2. Procedure for Divorced Person to Seek Permission to Be Married in the Diocese

Should a man and a woman, one or both of whom have been divorced, wish to be married to one another in this Diocese, or by any of the clergy of this Diocese, the couple must first secure the Bishop's consent by submitting an application on a form prescribed by the Bishop for such purpose. Within 30 days from the date of receipt of the application signed by the couple and the proposed officiating clergy, the Bishop shall communicate in writing his determination of the application.

Section 3. Clergy to Officiate at Weddings

The clergy of this Diocese shall not officiate at nor in any way participate in any weddings at any location except in accordance with these Canons.

Canon 5

Of Standards of Morality and Ethics

Section 1. Exemplary Morality

Clergy and laity of this Diocese are called to be exemplary in all spheres of morality. This is a condition of being appointed to or remaining in a position or office of leadership or holding any license from the Bishop.

Section 2. Sanctity of Marriage

In view of the teaching of Holy Scripture, the Lambeth Conference of 1998, and the Jerusalem Declaration, this Diocese upholds faithfulness in marriage between one man and one woman in lifelong union; believes that abstinence from sexual relations is right for those who are not called to marriage; cannot legitimize or bless same-sex unions or ordain persons who engage in homosexual behavior. Sexual relations should take place only between one man and one woman who are married to each other.

Section 3. Sanctity of Life

God, and not man, is the creator of human life. The unjustified taking of life is sinful. Therefore, all clergy and laity are called to promote and respect the sanctity of every human life from conception to natural death.

Section 4. Pastoral Ministry

Clergy and laity are called upon to show Christ-like compassion to those who have fallen into sin, encouraging them to repent and receive forgiveness, and offering the ministry of healing to all who suffer physically or emotionally as a result of such sin.

Section 5. Protection of Children, Young People and Adults

Clergy and laity are stewards responsible for the nurturing and care of children, young people or adults who participate in the life of the Congregation. There is no tolerance for engaging in or remaining silent about inappropriate sexual language or advances toward or abuse of children, young people or adults.

Title IV

Of Ministers: Their Recruitment, Preparation, Ordination, Office, Practice, and Transfer

Canon 1

Of the Ordination Committee and Examining Chaplains

There shall be a Diocesan Ordination Committee comprising of clergy and laity appointed by the Bishop. The Ordination Committee shall assist the Bishop with the identification, selection, examination, interviewing, and other screening of applicants for admission as postulants and as candidates for ordination to Holy Orders. The Ordination Committee shall also assist and advise the Bishop in formulating the needs and requirements for the present and future ministry in the Diocese, regarding the manner of selection of persons for ministry. The Bishop may appoint Examining Chaplains from among presbyters and laity of the Diocese for the purpose of assisting the Bishop with oversight of postulants and candidates for ordination and their assessment for ordination.

Canon 2

Of Candidates for Holy Orders

Section 1. Seeking Holy Orders

A. Any person who has been confirmed or received by a Bishop of CANA or the Province or another province of the Anglican Communion, who believes they are called by Almighty God to ordained ministry in the Church, should seek the discernment of others to confirm that call.

B. Applicants to be a deacon must be a man or woman who at the time of ordination shall be not less than 23 years of age, have made a public commitment of their faith in Christ and have lived their Christian faith in an exemplary manner for some time, and have been a part of a Congregation or Mission of the Diocese for not less than one year, except for good cause.

C. Applicants to be a presbyter must be a man who has been a deacon for not less than twelve months, have made a public commitment of his faith in Christ and have lived his Christian faith, and served as a deacon in an exemplary manner for some time.

Canon 3

Of Deacons and Their Ordination

Section 1. Concerning Prerequisites for Ordination

No person shall be ordained a deacon in this Diocese until that person shall have completed satisfactory assessment conducted by those appointed by the Bishop for this purpose, and shall have demonstrated sufficient knowledge of Holy Scripture, the Doctrine, Discipline, and Worship of the Province; and any other topics the Bishop shall deem necessary for the Office and Ministry of Deacon, and shall have subscribed without reservation to the declaration set forth in Section 2 of this Canon.

Section 2. Concerning the Required Declaration of Ordinands

No person shall be ordained a deacon in the Diocese until such person shall have subscribed without reservation to the following declaration:

> *"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of Christ as this Church has received them."*

Canon 4

Of Presbyters and Their Ordination

Section 1. Ordination Following Period of Diaconate

No man shall be ordained a presbyter in this Diocese unless he shall have first been ordained a deacon. No deacon may be ordained as presbyter prior to twelve months from the date of his ordination to the diaconate. The period of required service as a deacon may for a good cause be shortened by the Bishop.

Section 2. Theological Requirements and Assessment of Candidates for Ordination

No deacon shall be ordained a presbyter in this Diocese until he shall have passed a satisfactory assessment prescribed by the Bishop.

Section 3. Concerning the Required Declaration of Presbyters

No person shall be ordained a presbyter in the Diocese until he shall have subscribed without reservation to the following declaration:

> *"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of Christ as this Church has received them."*

Canon 5

Of Licensed Lay Orders

The Diocese recognizes that the ministry of the laity is indispensable to the work of the Diocese and that this ministry originates within each Congregation and Mission. All clergy, Congregations, and Missions of the Diocese are strongly encouraged to equip the laity for ministries in their communities. To this end, Rectors and clergy overseeing Congregations and Missions may seek the Bishop's license for Lay Church Planters, Lay Evangelists, Lay Pastors, Lay Preachers, Lay Catechists, Lay Readers, Lay Eucharistic Ministers and such other lay ministers as the Bishop may establish and license for ministry with the local Congregation or Mission as seems helpful in bearing fruit for the Kingdom of God. Those exercising these ministries need to be spiritually mature, of sound character, have received adequate training, and have regular oversight.

Title V

Ecclesiastical Court and Church Discipline

Canon 1

Ecclesiastical Court Jurisdiction

All clergy and laity in any leadership position within the Diocese or a Congregation or Mission of the Diocese under the authority of the Bishop who exercise ministry or leadership, or who hold any license in the Diocese or any Congregation or Mission thereof, shall be subject to the jurisdiction of the Ecclesiastical Court.

Canon 2

Controversies Submitted to the Court

The Bishop, any member of the clergy of the Diocese, any lay person who is a member of any Congregation or Mission of the Diocese, or any Congregation or Mission of the Diocese, may petition the Court for the resolution of any dispute between clergy, lay persons, Congregations, or Missions of the Diocese. Church discipline cases for the inquiry as to presentments or other complaints against persons, either clergy or laity, shall be submitted to the Court for determination. The Court may receive and hear petitions from any other persons, dioceses, or other ecclesiastical bodies who have any controversy with any member Congregation, Mission, clergy, or lay person of the Diocese. The Chancellor, after consultation with the Bishop, may determine which cases are heard by the court after application has been received.

Canon 3

The Rights of the Respondent

Any person against whom disciplinary measures are initiated (Respondent) shall be presumed innocent until he or she has been determined guilty according to the provisions and procedures described herein, but the Bishop may take all necessary action required to protect any vulnerable individual during the course of the investigation or inquiry. All disciplinary procedures shall be undertaken speedily in a manner consistent with principles of fairness, due process, and natural justice.

Canon 4

Canonical Investigations

The Bishop may appoint a canonical investigator to ascertain the merit of any accusations made against any person of the Diocese and to make a recommendation to the Bishop as to whether further juridical process should be pursued, or such role may be carried out by referral of a presentment or accusation directly to the Court for inquiry and judicial process.

Canon 5

The Ecclesiastical Court of the Diocese

Section 1. Ecclesiastical Court Established, Composition, Number of Members, Mode of Election, and Term of Office

There shall be an Ecclesiastical Court of the Diocese consisting of nine members plus the number of such assistant chancellors who may have been appointed by the Bishop.

The presiding judge shall be the Chancellor who shall be appointed by the Bishop and who shall serve without term and at the pleasure of the Bishop. Assistant chancellors appointed by the Bishop shall also be members of the Court in addition to the nine Court members required by this section. The Bishop shall also appoint one clergy and one lay person to the Court without term and to serve at the pleasure of the Bishop. The remaining six members of the Court shall be elected by the Synod, three clergy, and three laity, for staggered three-year terms.

Section 2. Court rules and Procedures

The Ecclesiastical Court shall establish its own procedures consistent with the relevant Canons of the Diocese.

Section 3. Quorum and Composition of a Court Panel

The Court shall hear all cases by panel selected by the Chancellor from among the members of the Court. A panel for a case shall consist of no fewer than three members of the Court, and three Court members shall be necessary for the conduct of an inquiry as to any presentment or to hear any controversy before it, or for a judgment or for any other proceedings of a panel. All panels shall consist of the Chancellor or any assistant chancellor acting as the presiding judge. Each panel shall have an equal number of clergy and laity excluding the presiding judge. The Chancellor shall appoint the presiding judge and all panel members to each panel.

Section 4. Judgment of the Court

A majority of the members of a panel of the Court shall be required for any decision or judgment.

Canon 6

The Prosecution of a Presentment or other Controversy

The Bishop may appoint an attorney or non-attorney advocate who may have the responsibility of preparing a presentment and presenting the evidence to the Court on behalf of the Diocese, or alternatively if no attorney or non-attorney advocate is appointed, the Court may proceed to formulate a presentment from the facts of an accusation and may then conduct its inquiry and with respect to the proof of any presentment or other controversy before the Court.

Canon 7

Attorneys and Non-attorney Advocates

The Respondent shall have the right to an attorney or a non-attorney advocate to participate in any inquiry of any presentment or other controversy. The Respondent may select his or her attorney or non-attorney advocate of choice to participate in the proceedings. All attorneys and non-attorney advocates shall upon application be admitted to the bar of the Court for the panel for which an inquiry is to be heard.

Canon 8

Clergy under Ecclesiastical Authority in Another Jurisdiction

Regardless of whether any member of the clergy under the authority of the Bishop is also under the authority of another bishop, whenever it is believed that such a member of the clergy may have committed a canonical offense in this Diocese, the same shall be reported by the Bishop to the other bishop or archbishop who also has ecclesiastical authority over such member of the clergy. Such member of the clergy shall be subject to disciplinary proceedings in this Diocese in accordance with these Diocesan Canons.

Canon 9

Of Sentences

Upon any conviction, the Bishop shall pronounce sentence, which may include the authority of the Bishop to prohibit the convicted member of the clergy or laity from serving in the Diocese.

Title VI

Adoption and Amendment

Canon 1

Adoption to the Canons

These canons shall be adopted and become effective upon their approval by a majority vote at the inaugural Meeting of the Synod of the Diocese held in May of 2013.

Canon 2

Amendment to the Canons

The Canons of the Diocese may be amended by the Synod at any Annual Meeting or any Special Meeting called for that purpose. No amendment may be adopted until it has been reviewed by the Constitution and Canons Committee and its recommendations given to the Synod. Notwithstanding any provision in these Canons to the contrary, the Synod may by a two thirds majority allow the consideration of proposed amendments to the Diocesan Canons.